

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

JUL 25 2019

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA)
)
v.)
)
BRIAN WALTER MARTIN)
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Case No. 4:18cr00035
SUPERSEDING INDICTMENT
In violation of:
18 U.S.C. § 922(g)(1)

COUNT ONE

The Grand Jury charges that:

1. On or about April 22, 2018, in the Western Judicial District of Virginia, the defendant, BRIAN WALTER MARTIN, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, to wit, a Beretta, model 950B, .22 caliber pistol, serial number obliterated, said firearm having been shipped and transported in interstate or foreign commerce.
2. All in violation of Title 18, United States Code, § 922(g)(1).

NOTICE OF FORFEITURE

1. Upon conviction of the offense alleged in this Indictment, BRIAN WALTER MARTIN shall forfeit to the United States any firearm or ammunitions involved in or used in any manner to commit the violations;
2. The property to be forfeited to the United States includes but is not limited to the following property:

(a) Firearms and Ammunition

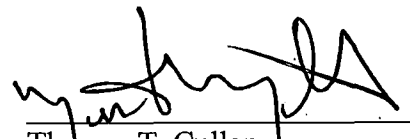
Beretta, model 950B, .22 caliber pistol, serial number obliterated, and miscellaneous ammunition.

3. If any of the above described forfeitable property, as a result of any act or omission of the defendant cannot be located upon the exercise of due diligence; has been transferred or sold to or deposited with a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above described forfeitable property pursuant to 21 U.S.C. § 853(p).

4. All in accordance with Title 18, United States Code, § 924(d), and Title 28, United States Code, § 2461(c).

A TRUE BILL, this 25th day of July, 2019.

/s/ FOREPERSON
FOREPERSON



for Thomas T. Cullen
United States Attorney